

Attorney Docket No.: B0410/7280D1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT(S):

Richard A. Gambale et al.

CONF. NO.

7050

**SERIAL NO.:** 

10/768,770

GROUP NO.:

1615

FILING DATE:

January 29, 2004

**EXAMINER:** 

Carlos A. Azpuru

TITLE:

IMBEDDED INTRAMUSCULAR IMPLANTS

## CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the MAIL STOP APPEAL BRIEF - PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24<sup>th</sup> day of April, 2007.

Debra M. Doherty

MAIL STOP APPEAL BRIEF - PATENTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is/are the following document(s):

- 1. Petition for Extension of Time;
- 2. Fee Transmittal:
- 3. Appeal Brief, in triplicate; and
- 4. Return Postcard

If the enclosed papers are considered incomplete, the Mail Room or other persons are respectfully requested to contact the undersigned collect at (617) 261-3100.

A check in the amount of \$620.00 is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to Deposit Account No. 50-1721, Reference No. **B0410/7280D1**. A duplicate of this letter is enclosed for accounting purposes

Joyce C. Hersh

Reg. No.: 42,890

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DATE: April 29, 2007

BOS-1072938 v1 0506765-0068

## Complete if Known Application Serial Number 10/768,770 FEE TRANSMITTAL Filing Date January 29, 2004 First Named Inventor Richard A. Gambale FY 2007 Group Art Unit 1615 Carlos A. Azpuru **Examiner Name** Attorney Docket No. B0410/7280D1 Confirmation No. 7050 METHOD OF PAYMENT FEE CALCULATION (continued) ment Enclosed: 3. ADDITIONAL FEES □ Check □ Money Order □ Other Large Small Entity Entity The Commissioner is hereby authorized to credit Fee Fee Fee Description Fee Paid

or charge any fee indicated below for this submission to Deposit Account No. 50-1721.  Required Fees (copy of this sheet enclosed). Additional fee required under 37 CFR 1.16 and 1.17.  Description of this submission to Deposit Account No. 50-1721.  Required Fees (copy of this sheet enclosed). Additional fee required under 37 CFR 1.16 and 50 25 Surcharge - late provisional filing fee or cover sheet  1.17.  Description of Fee Paid 130 Non-English specification 2.520 Request for ex parte reexamination Extension for reply within first month 120.00  Extension for reply within first month 120.00  1. FILING/SEARCH/EXAM/SIZE FEES 450 225 Extension for reply within first month 120.00  Large Entity 1020 510 Extension for reply within first month 120.00  Large Entity 1020 510 Extension for reply within first month 120.00  Large Entity 1020 510 Extension for reply within first month 120.00  Lutility filing fee 500 250 Notice of Appeal 500 250 Notice of Appeal 500 250 Notice of Appeal 500.00  Utility search fee 500 250 Filing a brief in support of an appeal Request for oral hearing 130 130 Petitions to the Commissioner (Gp. II) 100 Design search fee 130 130 130 Petitions to the Commissioner (Gp. II) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. II) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 Petitions to the Commissioner (Gp. III) 130 Design search fee 130 130 Petitions to the Commissioner (Gp. III) 130 Petitions to the Commissioner (
Required Fees (copy of this sheet enclosed).   30   65   Surcharge - late filing fee or oath
Additional fee required under 37 CFR 1.16 and 1.17.  ☑ Overpayment Credit. 3. ☐ Applicant claims small entity status.  FEE CALCULATION 1. FILING/SEARCH/EXAM/SIZE FEES  Large Entity 1020 510 Extension for reply within first month  Notice of Appeal  Filing a brief in support of an appeal  500 Utility search fee  500 250 Filing a brief in support of an appeal  Filing a submissioner (Gp. II)  Petitions to the Commissioner (Gp. III)  Design exam fee  130 130 Petitions to the Commissioner (Gp. III)  Filing a submission after final rejection (37 CFR 1.129(a))  For each additional invention to be examined (37 CFR 1.129(b))  Certificate of Correction for applicant's error  Independent  Claims -3 = x \$200.00 = 000 Ferminal Disclaimer  Other fee (Specify)
1.17.
Applicant claims small entity status.   2,520   2,520   Request for ex parte reexamination
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Multiple Dependent Claim(s), if any \$360.00 =
TOTAL: SMALL ENTITY DISCOUNT:
SUBTOTAL (1) (\$) 0.00
2. AMENDMENT CLAIM FEES
Claims Highest No. Present Rate Fee Paid SUBTOTAL (3) (\$) 620.00
Remaining Previously Extra
After Amend. Paid For
Total - = $x $50.00 =$ SUBTOTAL (1) 0.00
Indep = $x $200.00 =$ SUBTOTAL (2) 0.00
First Presentation of Multiple Dep. Claim + \$360.00 = SUBTOTAL (3) 620.00
TOTAL: (\$)
SMALL ENTITY DISCOUNT: (\$)
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